

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl.No.

: 10/774,092

Applicant

: Brovelli, et al.

Filed

: February 6, 2004

Title

: Method of Augmenting the Immune-Modulatory Activity of Standardized

Echinacea Preparation

Docket No. : AM1150

Commissioner for Patents PO Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, applicant wishes to inform the Patent and Trademark Office of the information listed on the attached form PTO-1449.

The undersigned believes that this statement is being filed before the mailing of a first Office Action on the merits, and thus no fee is due. However, should any fees under 37 C.F.R. §1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Alticor Inc. Deposit Account No. 01-1793.

Dated: April 19, 2004

Respectfully submitted,

Connie Berg

Registration No. 46,548

Alticor Inc.

7575 Fulton Street East Ada, Michigan 49355 (616) 787-1252 phone (616) 787-9027 fax

Signature

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PTO/SB/21 (08-03) Approved for use through 07/31/2006. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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	Application Number	10/774,092
TRANSMITTAL	Filing Date	February 6, 2004
FORM	First Named Inventor	Brovelli, et al
(to be used for all correspondence after initial filing)	Art Unit	
	Examiner Name	
al Number of Pages in This Submission	Attorney Docket Number	AM1150

Fee Transmittal Form Drawing(s)			
Fee Transmittal Form Fee Attached Amendment / Reply Atter Final Affidavits/declaration(s) Extension of Time Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 Prevition Licensing-related Papers Petition Petition to Convert a Provisional Application Proprietary Information Status Letter Other Enclosure(s) (please identify below): return postcard Terminal Disclaimer Feturn postcard Remarks SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm or Individual name Todayidad Papers Information Disclosure Statement Connie Berg Connie Berg Connie Berg		ENCLOSURES (check all that apply	·)
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Date

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of

Complete if Known				
Application Number	10/774,092			
Filing Date	February 6, 2004			
First Named Inventor	Brovelli, et al			
Art Unit				
Examiner Name				
Attorney Docket Number	AM1150			

U.S. PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Document Number Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
	A1	US- 6,096,307	08/01/2000	Braswell et al				
	A2	US- 6,217,878	04/17/2001	Menon et al				
	A3	US- 6,306,443	10/23/2001	Brovelli et al				
	A4	US- 6,511,683	01/28/2003	Gahler et al				
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Signature	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

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Complete if Known

Application Number 10/774,092

Filling Date February 6, 2004

First Named Inventor Brovelli, et al

Art Unit Examiner Name

Attorney Docket Number AM1150

(use as many sheets as necessary)
Sheet I of I

	OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS						
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	2				
	B1	K. SEIDLER-LOZYKOWSKA, J. DABROWSKA, Yield and Polyphenolic Acids Content in Purple Coneflower (Echinacea purpurea Moench.) at Different Growth Stages, Journal of Herbs, Spices & Medicinal Plants, 2003, pages 7-12, Vol. 10(3) The Haworth Press, Inc.					
	В2	R. BAUER, H. WAGNER, Echinacea Species as Potential Immunostimulatory Drugs, Economic and Medicinal Plant Research, 1991, Chapter 8, pages 254-321, Vol. 5, Academic Press Limited					
Examine Signature		Date Considered					

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.